

07-12-06

1FW \$



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |    |                        |                    |
|---|----|------------------------|--------------------|
| <h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p> |    | Application Number     | 10/645,471         |
|   |    | Filing Date            | August 20, 2003    |
|   |    | First Named Inventor   | Scot W. EBBINGHAUS |
|   |    | Art Unit               | 1637               |
|   |    | Examiner Name          | A. Bertagna        |
| Total Number of Pages in This Submission  | 24 | Attorney Docket Number | 532232000500       |

## ENCLOSURES (Check all that apply)

|   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 page, plus duplicate)<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply (20 pages)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request (1 page)<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Receipt Postcard |
| Remarks<br><b>CUSTOMER NO. 25225</b>  |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                         |          |        |
|--------------|-------------------------|----------|--------|
| Firm Name    | MORRISON & FOERSTER LLP |          |        |
| Signature    |                         |          |        |
| Printed name | Gregory P. Einhorn      |          |        |
| Date         | July 10, 2006           | Reg. No. | 38,440 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 743886051 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 10, 2006

Signature:

(Germaine Sarda)



PTO/SB/17 (01-06)

Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

The Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 1,035.00**Complete if Known**

|                      |                    |
|----------------------|--------------------|
| Application Number   | 10/645,471         |
| Filing Date          | August 20, 2003    |
| First Named Inventor | Scot W. EBBINGHAUS |
| Examiner Name        | A. Bertagna        |
| Art Unit             | 1637               |
| Attorney Docket No.  | 532232000500       |

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues)            | 50       | 25                    |
| Each independent claim over 3 (including Reissues) | 200      | 100                   |
| Multiple dependent claims                          | 360      | 180                   |

|              |              |           |               |
|--------------|--------------|-----------|---------------|
| Total Claims | Extra Claims | Fee (\$)  | Fee Paid (\$) |
| 31           | - 26 = 5     | x 25.00 = | 125.00        |

HP = highest number of total claims paid for, if greater than 20.

|               |              |            |               |
|---------------|--------------|------------|---------------|
| Indep. Claims | Extra Claims | Fee (\$)   | Fee Paid (\$) |
| 9             | - 5 = 4      | x 100.00 = | 400.00        |

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

|              |              |  |          |               |
|--------------|--------------|--|----------|---------------|
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|              | - 100 =      | /50 (round up to a whole number) x               |          |               |

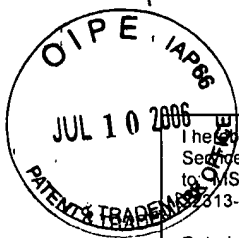
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2253 Extension for response within third month 510.00

**SUBMITTED BY**

|                   |                    |                                   |               |           |                |
|-------------------|--------------------|-----------------------------------|---------------|-----------|----------------|
| Signature         |                    | Registration No. (Attorney/Agent) | 38,440        | Telephone | (858) 720-5133 |
| Name (Print/Type) | Gregory P. Einhorn | Date                              | July 10, 2006 |           |                |



I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 743886051 US, in an envelope addressed to MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 10, 2006

Signature

*Germaine Sarda*  
(Germaine Sarda)

Docket No.: 532232000500  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Scot W. EBBINGHAUS et al.

Application No.: 10/645,471

Confirmation No.: **8202**

Filed: August 20, 2003

Art Unit: 1637

For: METHODS FOR REGULATING  
TRANSCRIPTION BY TARGETING  
QUADRUPLEX DNA

Examiner: ANGELA MARIE BERTAGNA

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir:

Responsive to the non-final Office Action ("the OA") mailed January 10, 2006, Applicants respectfully request entry of the amendment and consideration of the remarks set forth herein. A response to the Office Action was initially due April 10, 2006. Applicants herein submit a petition for a three month extension of time to July 10, 2006, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this response is timely filed.

**Amendment to the specification** begins on page 2 of this paper.

**Amendments to the claims** are reflected in the listing of claims which begin on page 3 of this paper.

**Remarks** begin on page 10 of this paper.

The following documents are enclosed herewith: Transmittal letter; Fee Transmittal; Return Receipt Postcard; Petition for a three (3) month extension of time.

07/13/2006 ZJUHA1 00000008 031952 10645471

02 FC:2201 400.00 DA  
03 FC:2202 125.00 DA

sd-325071